

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

FRANKLIN IRVIN,)
)
Plaintiff,)
)
v.) Case No. 7:14-cv-00660-SLB-JEO
)
WILLIE THOMAS, et al.,)
)
Defendants.)

ORDER

The magistrate judge filed a Report and Recommendation on July 6, 2015, recommending that the plaintiff's claims against defendants Willie Thomas, Deborah Toney, John Hutton, Reosha Butler, Kessy Bell, Lee Cook, Sgt. Marshbanks, and Bryan Parker be dismissed, pursuant to 28 U.S.C. § 1915A(b)(1) and/or (2). The magistrate judge further recommended that the plaintiff's Eighth Amendment claims based on deliberate indifference against defendant Julie Sanders be referred to him for further proceedings. No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court is of the opinion that the magistrate judge's report is due to be and is hereby **ADOPTED** and the magistrate judge's recommendation is **ACCEPTED**. It is therefore **ORDERED**, **ADJUDGED**, and **DECREED** that all of plaintiff's claims in this action against

defendants Willie Thomas, Deborah Toney, John Hutton, Reosha Butler, Kessy Bell, Lee Cook, Sgt. Marshbanks, and Bryan Parker are **DISMISSED** pursuant to 28 U.S.C. § 1915A(b). It is further **ORDERED** that the remaining claim, for deliberate indifference under the Eighth Amendment against defendant Julie Sanders, is **REFERRED** to the magistrate judge for further proceedings.

DONE this the 10th day of August, 2015.

Sharon Lovelace Blackburn
SHARON LOVELACE BLACKBURN
SENIOR UNITED STATES DISTRICT JUDGE